

**FILED**  
DISTRICT COURT OF GUAM  
JUL 03 2007  
MARY L.M. MORAN  
CLERK OF COURT

*Counsel appearing on following page*

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

JULIE BABAUTA SANTOS, *et al.*,

Petitioners,

v.

FELIX P. CAMACHO, *et al.*,

Respondents,

CASE NO. CV04-00006

DECLARATION OF JONATHAN D.  
SELBIN IN SUPPORT OF THE SIMPAO  
PLAINTIFFS' APPLICATION FOR  
ATTORNEYS' FEES AND  
REIMBURSEMENT OF COSTS

CHARMAINE R. TORRES, *et al.*,

Plaintiffs,

v.

GOVERNMENT OF GUAM, *et al.*,

Defendant.

CASE NO. CV04-00038

MARY GRACE SIMPAO, *et al.*,

Plaintiffs,

v.

GOVERNMENT OF GUAM,

Defendant.

CASE NO. CV04-00049

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6 206.682.5600

7 *Attorneys for Objectors Mary Grace Simpao and Janet Cruz*

8  
9 I, JONATHAN D. SELBIN, declare as follows:

10 1. I am a member of the law firm of Lieff, Cabraser, Heimann & Bernstein,  
11 LLP ("LCHB"). I am a member in good standing of the bars of the States of California and New  
12 York, and the bar of the District of Columbia, as well as numerous federal district and appellate  
13 courts. I have personal knowledge of the facts set forth in this declaration, and could testify  
14 competently to them if called upon to do so.

15 2. LCHB is a national law firm with offices in San Francisco, New York, and  
16 Nashville. LCHB's practice focuses on complex and class action litigation involving product  
17 liability, consumer, employment, financial, securities, environmental, and personal injury  
18 matters.

19 3. I am a 1993 graduate of Harvard Law School. Following my graduation  
from law school, I clerked for the Honorable Marilyn Hall Patel in the Northern District of  
20 California from 1993 to 1995. I have worked exclusively at LCHB since the fall of 1995 to the  
21 present, in the capacities of associate and partner.

22 4. During my twelve years of practice, I have focused my work exclusively  
23 on class action litigation, primarily in the fields of product defect and consumer fraud. In the  
24 course of my work, I have been involved in well over a dozen of LCHB's applications for  
25 awards of attorneys fees and costs in class action litigation.

1           5.       Based upon my experience, I am familiar with the rates typically charged  
2 by class counsel and approved by courts in such cases, and in particular, rates typically charged  
3 and approved by courts (both federal and state) in the San Francisco Bay area. Based upon that  
4 experience, it is my opinion that the rates set forth in *Young v. Polo Retail, LLC*, 2007 WL  
5 951821, \*5 (N.D. Cal. 2007) the case cited by the Government in this litigation are well below  
6 those typically charged by experienced class counsel in the San Francisco Bay area.

7           6.       I am a member of my firm's Executive Committee, which periodically  
8 updates LCHB's billing rates. The last time such rates were updated was January 1, 2007. The  
9 updates are based upon publicly available market survey data, cases in which courts have  
10 approved billing rates of our firm and comparable class action firms in class litigation, and the  
11 rates that are negotiated and paid by our sophisticated hourly clients.

12           7.       As a mid-level partner, my own current billing rate is \$575 per hour. The  
13 remainder of our rates can be summarized as follows:

14                   Senior Partner - \$650 to \$775/hr

15                   Junior Partner - \$415 to \$475/ hr

16                   Senior Associate - \$380 to \$410/hr

17                   First Year Associate - \$295/hr

18           8.       LCHB's rates have been repeatedly been approved by courts, and I am  
19 aware of no case in which they were *not* approved.

20           I declare under penalty of perjury under the laws of New York and the United  
21 States of America that the foregoing is true and correct.

22           Executed this 27th day of June, 2007 at New York, New York.

23  
24                     
25                   JONATHAN D. SELBIN